

# WEBB COUNTY, TEXAS

# COMMISSIONERS COURT AGENDA

# **PUBLIC NOTICE**

COMMISSIONERS COURT MEETING WEBB COUNTY COURTHOUSE 1000 HOUSTON STREET, 2<sup>ND</sup> FLOOR LAREDO, TEXAS 78040 October 27, 2003 1:00 p.m.

- 1. CALL TO ORDER BY JUDGE, LOUIS H. BRUNI
- 2. ROLL CALL BY MARGIE IBARRA, COUNTY CLERK
- 3. PLEDGE OF ALLEGIANCE
- 4. APPROVAL OF MINUTES FOR SEPTEMBER 22, SEPTEMBER 29, AND OCTOBER 15, 2003.
- 5. APPROVAL OF BILLS, PAYROLL AND MONTHLY REPORTS
- 6. COMMUNICATIONS
- **7. PUBLIC COMMENT-** This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of three (3) minutes within which to make any/all public comments.

#### LOUIS H. BRUNI

Webb County Judge (956) 523-4600

### JERRY VASQUEZ

Commissioner, Precinct 1 (956) 523-4617

#### JUDITH G. GUTIERREZ

Commissioner, Precinct 2 (956) 523-4624

#### FELIX VELASQUEZ

Commissioner, Precinct 3 (956) 523-4625

### DAVID R. CORTEZ

Commissioner, Precinct 4 (956) 523-4653

#### MARGIE IBARRA

Webb County Clerk (956) 523-4251

### **HOMERO RAMIREZ**

Webb County Attorney (956) 523-4044

#### LEO FLORES

Webb County Auditor (956) 523-4016

### COURT TO DISCUSS AND ACT ON THE FOLLOWING:

## LOUIS H. BRUNI, WEBB COUNTY JUDGE

- **8.** Discussion and possible action regarding the adoption of the Operational General Order for Fiscal Year 2003-2004.
- **9.** Presentation from "Sister Sharing" by Norma Trevino and Baltazar Pineda to be held on November 10, 2003 sponsored by HEB and the City of Laredo.

# **GERARDO "JERRY" VASQUEZ, COMMISSIONER PRECINCT 1**

- 10. Discussion and possible action to approve the construction contract with CG Construction in the total amount of \$308,012 for construction of the El Cenizo Recreational Center. [Account # 678-8103-8701-1 Park Development]
- 11. Discussion and possible action to authorize the purchasing agent to obtain the labor and materials from Cantu electric, Inc. in the amount of \$8,750 to install a five section traffic light at the intersection of Espejo Molina Road and Pena Drive. [Account # 010-7002-6205 Material and Supplies]

# JUDITH G. GUTIERREZ, COMMISSIONER PRECINCT 2

12. Discussion and possible action on the approval of a resolution concerning County participation in the hearing of the Texas Commission on Environmental Quality on the application by Regional Land Management Services, Ltd. for a permit for a Municipal Solid Waste Landfill in Webb County, Texas and concerning the representation of the County in the hearing.

# **FELIX VELASQUEZ, COMMISSIONER PRECINCT 3**

**13.** Presentation by Krispy Kreme owners Mr. Randy Willard and Mike Ceci, and store manager, Mr. Ricardo Vela, to promote Laredo's own Krispy Kreme Donuts.

## **COMMUNITY ACTION AGENCY**

- **14.** Discussion and possible action to declare October 30, 2003 as "Weatherization Day" in Webb County.
- **15.** Discussion and possible action on the approval to grant the County Auditor authority to expend funds from the Meals on Wheels Program (MOW), and the Elderly Nutrition Program (EN), effective November 1, 2003, pending the receipt of all required grant documents.

## **COUNTY ATTORNEY**

- 16. Discussion and possible action to enter into a five (5) year (October 1, 2003 through September 30, 2008) commercial lease agreement with Jose Mario Flores concerning office lease space of approximately 6,410 square feet located at 1808 Commerce Drive at a cost of FOUR THOUSAND NINE HUNDRED AND TWENTY DOLLARS (\$4,920.00) a month over the lease term, and authorizing the Webb County Judge to execute all relevant documents. [Requested by Webb County Head Start]
- 17. Discussion and possible action by Webb County to exercise its option to terminate its current Lease Agreement with the Bruni Altar Society concerning the Sacred Heart Mission in Bruni, Texas, by giving the Bruni Altar Society its requisite thirty (30) day written termination notice as specified in the Lease Agreement. [Requested by Webb County Community Action Agency]

**18.** Discussion and possible action to enter into Third Party Funding Agreements as Follow: Funding Pursuant to General Fund Revenue

Texas A&M Dance Program	\$ 1,500
American Red Cross	\$ 7,500
Boys' & Girls' Club	\$ 25,000
Laredo Development Foundation	\$ 95,000
Crime Stoppers	\$ 2,000
Webb County Soil & Conservation	\$ 4,000
BEST	\$ 2,500

Laredo Food Bank Inc., d.b.a. South Texas Food Bank \$ 25,000
Children's International Advocacy \$ 60,000
and authorizing the County Judge to execute all relevant documents.

- 19. Discussion and possible action to enter into a two (2) year subscriber lease agreement with Habla-Tex to provide Nextel Communication Services for three (3) Nextel phones for the El Cenizo Community Center. The cost of the service for the three (3) phones per month is ONE HUNDRED THIRTY NINE DOLLARS AND NINETY SEVEN CENTS (\$139.97) for a total cost of THREE THOUSAND THREE HUNDRED AND FIFTY-NINE DOLLARS AND TWENTY EIGHT CENTS (3,359.28) over the lease term, and authorizing the county judge to execute all relevant documents. [Account #001-0109-6004 Telephone Requested by Purchasing Dept.]
- 20. Discussion and possible action to enter into a two (2) year subscriber lease agreement with Habla-Tex to provide Nextel Communication Services for three (3) Nextel phones for the Rio Bravo Community Center. The cost of the service for the three (3) Nextel phones per month is ONE HUNDRED THIRTY FOUR DOLLARS AND NINETY SEVEN CENTS (\$134.97) for a total cost of THREE THOUSAND TWO HUNDRED AND THIRTY NINE DOLLARS AND TWENTY EIGHT CENTS (\$3,239.28) over the lease term, and authorizing the county judge to execute all relevant documents. [Account #001-0109-6004 Telephone Requested by Purchasing Dept.]

- 21. Discussion and possible action to amend a Non-Financial Interlocal Cooperative Agreement with the City of Laredo, for the Laredo Public Library, for the Head Start Program, and authorizing the Webb County Judge to execute all relevant documents. The agreement amends the term of the agreement to start on September 1, 2003 and end on August 31, 2004. The original contract had a start date of August 1, 2003 and an ending date of July 31, 2004. [Requested by Webb County Head Start]
- 22. Discussion and possible action to enter into a Therapy Service Agreement with Therapy Consultants d/b/a Kids Therapy for Children enrolled in the Webb County Head Start Program for a period of one (1) year (September 1, 2003 through August 31, 2004), and authorizing the County Judge to execute all relevant documents. [Requested by Webb County Head Start]
- 23. Discussion and possible action for Webb County, under the authority of the Texas Election Code sections 42.032 and 42.005, to realign those county election precincts affected by the changes made by House Bill 3, 78th Legislative Session, 3rd Called Session, which effectively redrew Texas' Congressional District Boundaries throughout the State of Texas, and any matters incident thereto. The new congressional boundaries in Webb County affected six county election precincts (precinct number 218, 239, 313, 345, 414, 449) by "splitting" them into two congressional districts which violates state election law (Texas Election Code section 42.005). [Requested by Elections Department]
- 24. Discussion and possible action to enter into and ratify an addendum extending the Interlocal Cooperation Agreement between the City of Laredo and Webb County for fire protection, emergency medical and rescue services for all unincorporated areas of Webb County for the period of one month beginning October 1, 2003, through October 31, 2003, at a cost of FIFTY THOUSAND DOLLARS (\$50,000.00) and authorizing the County Judge to sign all relevant documents."

25. Discussion and possible action to enter into an Interlocal Cooperation Agreement between the City of Laredo and County of Webb for the provision of fire protection, emergency medical, and rescue services within the County of Webb, excluding any incorporated city lying outside the City of Laredo for a period of one year and eleven months (November 1, 2003, through September 30, 2005) the first eleven months of the agreement being payable in monthly installments of FORTY-THREE THOUSAND SEVEN HUNDRED FIFTY DOLLARS (\$43,750.00) being a total of FOUR HUNDRED EIGHTY ONE THOUSAND TWO HUNDRED FIFTY DOLLARS (\$481,250.00) for the eleven month period and the next twelve months being payable in monthly installments of FIFTY THOUSAND DOLLARS (\$50,000.00) being a total of SIX HUNDRED THOUSAND DOLLARS (\$600,000.00) and authorizing the County Judge to sign all relevant documents."

# **COUNTY AUDITOR**

**26.** Discussion and possible action to approve the line item transfers attached and shown as the back up information to this item as recommended by the County Auditor so that billings can be paid and posted in the fiscal year the expense was incurred.

# **DISTRICT ATTORNEY**

- 27. Discussion and possible action on the transferring of titles for 7 forfeited vehicles to the District Attorney's Office. These vehicles are being used by the DEA Task Force Investigators attached to the District Attorney's Office. [Vehicle maintenance will be covered by Task Force and Insurance coverage will be covered by General Fund]
  - 1. 1997 Chevrolet Tahoe VIN# 33GCEC28K1VG181479
  - 2. 1997 Ford Mustang VIN# 1FALP42X9VF142979
  - 3. 1999 Chevrolet Tahoe VIN# 3GNEK18R1XG165643
  - 4. 1999 Chevrolet Suburban VIN# 3GNEC16R5XG115750
  - 5. 2000 Ford Excursion VIN# 1FMSU43FOYED54681
  - 6. 2000 Dodge Intrepid VIN# 2B3HD46R9YH325971
  - 7. 2000 Ford Windstar VIN#2FMDA5149YBB00438

## **ECONOMIC DEVELOPMENT**

- 28. Discussion and possible action on the submission of a grant application to the Texas Task Force on Indigent Defense for a formula grant in the amount of \$82,147 and designating the Honorable Louis H. Bruni, County Judge, as the Authorized Official and Javier Montemayor, Public Defender, as Program Director. Project funds will be utilized to offset the County's costs of providing indigent defendants with fair and adequate representation. This grant is at no cost to the County.
- 29. Discussion and possible action on the submission of a grant application to the Texas Task Force on Indigent Defense for a discretionary grant in the amount of \$70,000 and designating the Honorable Louis H. Bruni, County Judge, as the authorized official. Project funds will be utilized to hire an Indigent Defense Coordinator. The County will be providing an in-kind match of \$7,000.

## **FACILITIES DEPARTMENT**

**30.** Discussion and possible action on the approval to fill the following slots effective October 27, 2003.

Slot # 035, General Repair Person, at \$8.60 per hour Slot # 1509, General Office Clerk, at \$9.95 per hour Slot # 889, Custodian, at \$8.25 per hour

# MANAGEMENT INFORMATION SYSTEM

**31.** Discussion and possible action on the approval to fill slot # 1989, Receptionist, at \$8.48 per hour effective October 27, 2003.

## PLANNING DEPARTMENT

**32.** Discussion and possible action to issue "Certifications Regarding Compliance with Plat Requirements and the Connection of Utilities" to authorize utility connections to the following properties:

Connection(s) qualifying under Section 232.029(i):

- 1. Tract 219, Ranchitos Las Lomas Subdivision, (electricity-one dwelling only)
- 2. Tract 27, Eastgate Acres Subdivision, (electricity-one dwelling only)

# PRE-TRIAL SERVICES

33. Discussion and possible action on the submission of a contract amendment request for the Webb County Discretionary Indigent Defense Grant Agreement #212-03-D20 to the Texas Task Force on Indigent Defense to extend the grant period from January 31, 2004 to March 31, 2004 to hold a conference symposium on Best Practices in Indigent Defense for South Texas counties, amending the budget and augmenting the conference symposium line item, and designating the Honorable Louis H. Bruni, County Judge, as the authorized official to sign all necessary documents.

## **PURCHASING AGENT**

- **34.** Discussion and possible action to award Bid #2003-46 "Annual Contract for Refuse Collection" to Southern Sanitation.
- **35.** Discussion and possible action to award Bid # 2003-44 "Auctioneering Services" to Cabco Auctioneering Services.
- 36. Discussion and possible action to authorize the Purchasing Agent to lease purchase one digital 45 CPM copier in the amount of \$521.97 per month for 36 months form Ikon Office Solutions for the Extension Agent's Office. [Account # 001-5001-6014 Equipment Rental]
- **37.** Discussion and possible action to authorize the purchasing agent to approve the contract for Laredo Morning Times for legal and public notices at \$19.25 per column inch.

- **38.** Discussion and possible action to award Bid # 2004-3 "Annual Contract for Flexible Base" to Raymond Botello/Torrechillas Ranch.
- **39.** Discussion and possible action to award Bid # 2004-09 "Annual Contract to replace Mufflers and Related Items" to Laredo Muffler Shop, Inc.
- **40.** Discussion and possible action to award Bid # 2004-26 "Annual Contract for Plumbing Supplies" to Clark Hardware, LTD.

# **RISK MANAGEMENT**

- **41.** Discussion and possible action to allow Risk Mangement to charge \$5.00 per employee and \$15.00 per employee's dependent per vaccination at the annual flu clinic.
- 42. Discussion and possible action to accept a proposal from Professional Actuarial Services, Inc. for the Actuarial Report of Webb County's Self-Funded Workers' Compensation Program as of September 30, 2003. Requesting an exemption from Section 262.023 of the Local Government Code (Competitive Proposal Requirements) and authorizing the County Judge to execute all relevant documents. [Account #817-0105-6022 Professional Services]

# SHERIFFS DEPARTMENT

**43.** Discussion and possible action to approve the U.S. Department of Justice, COPS Homeland Security Overtime Program Grant award of \$69,818, with a Webb County Cash Match of \$25,000 paid from Homeland Security Account #001-0112-7211-18.

## **TAX OFFICE**

**44.** Discussion and possible action to approve request for refunds as recommended by Tax Assessor-Collector as follows:

1. Fairbanks Capital Corp., Attn: Porsha Brown

Reason: Over payment Total Refund: \$608.20

2. Fairbanks Corporation, Attn: Jeimy Merlo

Reason: Over payment Total Refund: \$561.19

3. Briggs Equipment, Attn: Jenny Holsomback

Reason: Section 33.011; Taxpayer requested refund under this

section

Total Refund: \$2,119.58

4. Webb County Tax Office

Reason: Refund to Credit Year 2003

Total Refund: \$1,116.34

# **EXECUTIVE SESSION**

45. Discussion and possible action regarding the property damage claim of Lucila Huntington for a motor vehicle accident which occurred on or about September 22, 2003 with a County Vehicle driven by a Sheriff's Department employee. (Executive Session is requested pursuant to Title 5, Subchapter D, Section 551.071 of the Texas Government Code - Consultation with Attorney)

- 46. Discussion and possible action to consider making an exception to our health insurance plan to cover a prescription for a covered employee under our current policy. (Executive Session is requested pursuant to Title 5, Subchapter D, Section 551.071 Texas Government Code – Consultation with Attorney)
- 47. Discussion and possible action to authorize the Risk Management Department to submit an insurance claim or to take other action in connection with damages to County Administration Building sustained in flood event of October 13, 2003. (Executive Session is requested pursuant to Title 5, Subchapter D. Section 551.071 of the Texas Government Code – Consultation with Attorney).

- 48. Discussion and possible action to create a sub-account in Webb County's general fund for payment of expenses or insurance deductible associated with damages to County Administration Building sustained in flood event of October 13, 2003. (Executive Session is requested pursuant to Title 5, Subchapter D. Section 551.071 of the Texas Government Code Consultation with Attorney).
- 49. Discussion and possible action to adopt and ratify County Judge's approval and signature of "Authorization for Work and Direction to Pay" Texas General Contractors, Inc. for emergency services and restoration and repairs to County Administration Building in connection with flood event of October 13, 2003; and ordering an exemption to competitive bidding statute pursuant to Texas Local Government Code § 262.024(a)(3): "an item necessary because of unforeseen damage to public property." (Executive Session is requested pursuant to Title 5, Subchapter D. Section 551.071 of the Texas Government Code Consultation with Attorney).
- **50.** Adjournment.

The Webb County Commissioners Court hereby reserves the right to go into executive session at any time during this public meeting, if such is requested by the County Attorney or other legal counsel for the County, pursuant to his or her duty under Section 551.071(2) of the Government Code, to consult privately with his or her client on an item on the agenda, or on a matter arising out of such item.

# **♣** DISABILITY ACCESS STATEMENT **♣**

Persons with disabilities who plan to attend this meeting and who may need auxiliary aid of service such as interpreters for persons who are deaf or hearing impaired, readers, or need large print are requested to contact the court administrator at (956) 523-4622.

DAY OF OCTOBED 2002

DATED THIS

By: Louis H. Bruni Webb County Judge  CERTIFICATION OF NOTICE AND POSTING  I, the undersigned, County Clerk, do hereby certify that the above notice of meeting of the Webb County Commissioners Court, is a true and correct copy of said notice, and that I posted a true and correct copy of said notice on the bulletin board at the Courthouse door of Webb County, Texas, at a place readily accessible to the general public at all times on the day of, 2003 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.  DATED THIS DAY OF, 2003  COUNTY CLERK, WEBB COUNTY, TEXAS  BY:	DATED THIS DAT OF OCTOBER, 2003.			
I, the undersigned, County Clerk, do hereby certify that the above notice of meeting of the Webb County Commissioners Court, is a true and correct copy of said notice, and that I posted a true and correct copy of said notice on the bulletin board at the Courthouse door of Webb County, Texas, at a place readily accessible to the general public at all times on the day of, 2003 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.  DATED THIS DAY OF, 2003  COUNTY CLERK, WEBB COUNTY, TEXAS				
meeting of the Webb County Commissioners Court, is a true and correct copy of said notice, and that I posted a true and correct copy of said notice on the bulletin board at the Courthouse door of Webb County, Texas, at a place readily accessible to the general public at all times on the day of, 2003 and said notice remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.  DATED THIS DAY OF, 2003  COUNTY CLERK, WEBB COUNTY, TEXAS	CERTIFICATION OF NOTICE AND POSTING			
COUNTY CLERK, WEBB COUNTY, TEXAS	meeting of the Webb County Commissioners Court, is a true and correct copy of said notice, and that I posted a true and correct copy of said notice on the bulletin board at the Courthouse door of Webb County, Texas, at a place readily accessible to the general public at all times on the day of, 2003 and said notice remained so posted continuously for			
	DATED THIS, 2003			
BY:	COUNTY CLERK, WEBB COUNTY, TEXAS			
	BY:			